



## Moldova

### International Religious Freedom Report 2007

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the law includes restrictions that at times inhibited the activities of some religious groups. On May 11, 2007, Parliament passed a new law on religion that dealt with many of these problems; however, the President returned the law to Parliament for reconsideration on June 18, 2007. No further action was taken by the end of the reporting period.

There was no overall change in the status of respect for religious freedom by the Government during the period covered by this report. The Government continued to uphold its earlier decisions to deny some groups registration, although the Church of Jesus Christ of Latter-day Saints (Mormons) was registered in December 2006. In the separatist region of Transnistria, which is not controlled by the Government, authorities continued to deny registration to a number of minority religious groups and harass their members.

There were few reports of societal abuses based on religious belief or practice; however, some branches of the Christian Orthodox faith suffered discrimination. There were reports that Protestants and parachurch groups experienced harassment from local town councils as well as from Orthodox priests and adherents.

The U.S. Embassy raised concerns at the highest levels of the Government regarding the persistent registration difficulties faced by some religious groups. In January 2007 the U.S. Ambassador hosted a gathering for government officials and leaders of 21 religious groups to support the expansion of religious freedom in the country.

#### Section I. Religious Demography

The country has an area of approximately 13,000 square miles and a population, including Transnistria's 555,000 inhabitants, of 3.9 million.

The predominant religion is Christian Orthodox. According to various estimates, more than 90 percent of the population nominally belongs to either of two Orthodox denominations, Moldovan or Bessarabian. However, official numbers are available only for properties and parishes associated with religious organizations; the State Service for Religious Affairs (SSRA) keeps no statistics for numbers of adherents or numbers of those who regularly attend services.

According to the SSRA, the Moldovan Orthodox Church (MOC), affiliated with the Russian Orthodox Church, has 1,255 parishes; the Bessarabian Orthodox Church (BOC), affiliated with the Romanian Orthodox Church, has 219 parishes; and the Old Rite Russian Orthodox Church (Old Believers) has 15 parishes. There was no information on the number of parishes or followers of the True Orthodox Church of Moldova (also known as the Russian Orthodox Church Abroad), which the Government has refused to register. The religious traditions of the Orthodox churches are entwined with the culture and patrimony of the country.

Adherents of other religious groups include Roman Catholics, Baptists, Pentecostals, Seventh-day Adventists, Muslims, Jehovah's Witnesses, Baha'is, Jews, followers of Reverend Sun Myung Moon, Molokans (a Russian group), Messianic Jews (who believe that Jesus is the Messiah), Lutherans, Presbyterians, Hare Krishnas, and other charismatic and evangelical Christian groups. The largest non-Orthodox group is the Union of Evangelical Christian Baptists, which has 260 registered parishes and claims 550 churches. Jehovah's Witnesses have 163 registered congregations and claim 234 Kingdom Halls, with 17,000 adherents. The Seventh-day Adventists have 147 congregations. The Church of Jesus Christ of Latter-day Saints (Mormons) has 2 congregations and an estimated 250 members.

The SSRA lists eight Jewish congregations. According to the most recent estimates from the Jewish cultural center in Chisinau, the Jewish community has approximately 24,000 members, including 15,000 in Chisinau; 2,500 in Balti and

surrounding areas; 1,600 in Tiraspol, the capital of Transnistria; 1,000 in Bender, a right-bank town occupied by Transnistrian authorities; and 4,000 in small towns. Government figures count 3,608 Jews in Moldova and approximately 1,200 in Transnistria. These figures reflect the ethnic identity declared to census takers in 2004 but not religious affiliation, since the census allowed respondents to make only one choice of ethnic identity. The 2004 census results reported by Transnistrian authorities claim 7,200 Jews in the region.

Foreign missionaries are present in the country.

## Section II. Status of Religious Freedom

### Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the law on religions contains restrictions that inhibited activities of unregistered religious groups (see Restrictions on Religious Freedom). The law provides for freedom of religious practice. It also protects the confidentiality of statements made to a priest in the confessional, allows denominations to establish associations and foundations, and states that the Government may not interfere in the religious activities of denominations.

On April 4, 2007, the Council of Europe urged authorities to adopt legislation that would clearly define a group's right to obtain recognition as a religious community and have access to remedy in the case of refusal. The Council of Europe also criticized the draft law on religion for failing to define clearly the right of recognition, including full legal personality, of all religious communities, including those with fewer than 100 members. In addition, the Council of Europe criticized the law for failing to clarify the conditions under which the Minister of Justice may request the courts to prohibit activities of certain religious communities. The Council of Europe's criticisms were not addressed by Parliament prior to its passing the law.

On June 18, 2007, the President returned to Parliament the new law on religions passed on May 11. According to press reports, President Vladimir Voronin criticized the new law because it did not describe Orthodoxy as the country's "traditional" religion and simplified registration for "nontraditional" religious groups, leaving loopholes for proselytization by new groups. On several occasions the President criticized the BOC as corrupt and vigorously questioned the need for more than one Orthodox confession in the country.

There is no state religion; however, the MOC receives favored treatment from the Government. The Metropolitan of Chisinau and all Moldova is issued a diplomatic passport. Other high-ranking MOC officials also reportedly have diplomatic passports. The Metropolitan participates as the sole religious figure in some national celebrations.

The law specifies that "in order to organize and function," religious organizations must be registered with the Government. Unregistered groups may not own property, obtain construction permits for churches or seminaries, open bank accounts, hire employees, or obtain space in public cemeteries in their own names. Individual churches or branches of registered religious organizations are not required to register with local authorities; however, a branch must register locally to carry out legal transactions and receive donations.

The procedures for registering a religious organization are the same for all groups. A religious organization must present a declaration of creation, bylaws, and an explanation of its basic religious beliefs to the SSRA. The SSRA is required by law to register the religious organization within 30 working days, but in practice it often delays registration, sometimes for years. At the request of the SSRA, a court can annul the recognition of a religious organization if it "carries out activities that harm the independence, sovereignty, integrity, and security of the Republic of Moldova, public order, or is connected with political activities." The law also prohibits religious organizations from including in their bylaws any provisions that would violate the Constitution or any other laws.

A 1994 bylaw requiring the approval of local authorities to register components of religious organization continued to cause problems (see Abuses of Religious Freedom). Authorities in Transnistria also imposed registration requirements that negatively affected religious groups and denied registration to some groups (see Restrictions on Religious Freedom).

The 1992 law on religions legalized proselytizing; however, the 1999 amendments explicitly forbid "abusive proselytizing." During the period covered by this report, authorities did not take legal action against any individual for such proselytizing.

The criminal code permits punishment for "preaching religious beliefs or performance of religious rituals which cause harm to the health of citizens, or other harm to their persons or rights, or instigate citizens not to participate in public life or in the fulfillment of their obligations as citizens." No organization was prosecuted under the code during the period covered by this report. Likewise, the law on combating extremism was not used against any religious group or opposition organization.

Article 200 of the administrative offenses code prohibits any religious activities of registered or unregistered religious groups that violate legislation. The article also allows the expulsion of foreign citizens who engage in religious activities without the consent of authorities.

Foreign missionaries may enter the country for 90 days on a tourist visa. Foreign religious workers must register with, and receive documentation from, the SSRA, the National Agency for the Occupation of the Work Force, the Bureau for Migration and Asylum (in the Ministry of Interior), and the Ministry of Informational Development. Registration procedures are onerous and are at times applied in a discriminatory fashion.

According to the law on education, "moral and spiritual instruction" is mandatory for primary school students and optional for secondary school and university students. Some schools offer religion courses, but enrollment depends on parental request and the availability of funds. There are a number of theological institutes, seminaries, and other places of religious education.

Two public schools and a kindergarten are open only to Jewish students; in Chisinau one kindergarten has a special "Jewish group"; however, Jewish students are not restricted to these schools. The schools receive the same funding as other state schools and are supplemented financially by the community. Total enrollment for Jewish schools remained approximately 550.

A 2002 government decision authorizes local authorities to determine, at their discretion, the denomination to which a parish belongs and to transfer its property to that denomination. Parishes in some communities have protested the transfer of their properties.

#### Restrictions on Religious Freedom

The law on religions contains restrictions that inhibit the activities of unregistered religious groups, and the Government continued to deny registration to some groups. In some cases members of unregistered religious groups held services in homes, nongovernmental organization (NGO) offices, and other locations. In other cases groups obtained property and permits in the names of individual members.

On February 27, 2007, the European Court of Human Rights (ECHR) ruled in favor of the Church of the True Orthodox-Moldova, a branch of the Russian Orthodox Church Abroad, compelling the Government to register it and pay \$15,600 (€12,000) in damages. However, at the end of the period covered by this report, the Church remained unregistered.

In October 2006 the Synod of the Russian Orthodox Church approved the establishment of two new MOC bishoprics in the country. To protest the appointment of 1 bishop on moral grounds, 30 Orthodox priests from the Ungheni region switched their allegiance from the MOC to the BOC. Only half of them received acknowledgement from local authorities; the other 15 sued the SSRA for denying registration. There were no developments in the case at the end of the period covered by this report.

On September 20, 2006, the Supreme Court referred the case regarding the refusal of the Floresti Raion District to consider the Domulgeni Jehovah's Witnesses' application for registration back to the Balti Court of Appeals, which on December 7, 2006, referred the case back to the Floresti City Court. At the end of the period covered by this report, the court had not made a decision.

The SSRA continued to deny registration to the True Orthodox Church of Moldova as well as to the Spiritual Organization of Muslims and the Central Muslim Spiritual Board of Moldova. (The latter is associated with the Central Muslim Spiritual Board of Russia and the Commonwealth of Independent States). At the end of the period covered by this report, the lawsuit filed by the Central Muslim Spiritual Board of Moldova against the SSRA for failing to register the Spiritual Organization of Muslims remained under review by the Chisinau Court of Appeals.

Some missionaries were denied permission to live and work in the country by government officials, who cited a numerical cap of 1,800 on work permits, a figure not published in laws or administrative regulations. The officials told missionaries that they did not need work permits to preach the Bible, claiming that 3 months was sufficient for the activity. In addition, some foreign religious workers were prevented from registering because of bureaucratic delays and had to start the process anew upon their return to the country.

The law provides for restitution of property confiscated during successive fascist and Soviet regimes to politically repressed or exiled persons, but the provision does not apply to religious organizations. However, local authorities can make arrangements with local parishes to return church properties; in practice, these arrangements almost always benefit the MOC. After independence in 1991, Orthodox churches affiliated themselves with the BOC or MOC on the basis of the

loyalty of the priest and the congregation. Several churches later changed sides. Partly because of lack of access to records, the BOC has not been able to give an exact count of the churches which they believe ought to be returned to BOC possession. Property disputes between the MOC and BOC remained unresolved.

On March 14, 2007, the SSRA recognized the BOC as the historical, spiritual, and canonical successor of the Romanian Orthodox Church that existed in the country until 1946 but did not address the issue of legal succession and the property rights associated with it. At the end of the reporting period, the ECHR had made no decision regarding the Government's 2001 decision that made the MOC the successor to the pre-World War II Romanian Orthodox Church for purposes of all property ownership.

In October 2006 the Floresti BOC parish lodged a petition at the ECHR regarding the ownership of a church that the MOC also claimed as its property. At the end of the reporting period, no decision had been made.

The Lutheran Church claimed properties, most of which were destroyed in World War II. In addition to the usual legal arguments, government authorities told Lutheran officials that properties would not be returned because there were not enough congregants to support their use.

The Jewish community owned 77 synagogues in Chisinau before World War II but had no plans to reclaim any of them; it maintained that the present synagogue, which was allowed to remain open in the Soviet period, was sufficient for the community's religious needs.

In Transnistria authorities used registration requirements and other legal mechanisms to restrict the religious freedom of some religious groups. Authorities reportedly told evangelical religious groups meeting in private homes that they did not have the correct permits to use their residences as venues for religious services.

There was no resolution regarding the registration of Jehovah's Witnesses in Tiraspol. Authorities continued to prevent the group from reregistering and from obtaining the fiscal registration number necessary to conduct business. Although the courts allowed the community to challenge such decisions, postponed hearings and failure of government respondents to appear prevented legal resolution of the problem. For example, due to the repeated failure of administration representatives to appear, the Tiraspol City Court postponed a hearing originally scheduled for June 2006 to consider the Jehovah's Witnesses complaint regarding the inaction of the Transnistrian "presidential administration" to adjudicate the group's registration application. Similar problems occurred in other Transnistrian cities.

Transnistrian authorities continued to use a textbook at all school levels containing negative and defamatory allegations regarding Jehovah's Witnesses.

The Transnistria Baptist community's application for registration, submitted in 2004, remained under review at the end of the period covered by this report.

#### Abuses of Religious Freedom

Between February 8 and 11, 2007, representatives of an evangelical NGO were detained for questioning in Vadu lui Voda after a policeman interrupted their seminar by questioning their right to conduct religious services and hire a foreign speaker. Although the representatives claimed that they were conducting seminars on drug and alcohol abuse, not religious services, and had the right to conduct Bible study specified in the NGO's registration papers, they were taken to court and fined.

The Spiritual Organization of Muslims continued to report harassment by police. During the reporting period, the Migration Bureau of the Ministry of Interior interrupted Friday prayers once and summoned the organization's leader to court. The trial had not taken place by the end of the period covered by this report. Since 2004 police have often shown up at the group's Friday prayers, which are held at the offices of the local Islamic organization Calauza, to check participants' documents and take pictures.

During the period covered by this report, Transnistrian courts sentenced Jehovah's Witnesses to punishments ranging from a fine of \$400 (3,360 TNR rubles) to 12 months' probation. Since 1995 a total of 20 members of Jehovah's Witnesses have been prosecuted in Transnistria for their conscientious objection to military service.

There were no reports of religious prisoners or detainees.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Improvements and Positive Developments in Respect for Religious Freedom

On December 29, 2006, the SSRA granted recognition to the Church of Jesus Christ of Latter-day Saints.

On December 20, 2006, Jehovah's Witnesses received an award of court costs and moral damages from the Comrat Court of Appeals against the Office of the Mayor of Comrat, which had suspended work on a Kingdom Hall and permitted interference with construction work. Courts ruled in favor of the communities in similar cases in Cruzesti, Milcoci, Orhei, Sangera, and Domulgheni. On December 7, 2006, local authorities issued construction and occupancy permits for a Kingdom Hall in Ghindesti.

#### Section III. Societal Abuses and Discrimination

On March 19, 2007, five tombstones in the Jewish cemetery in Chisinau were knocked over. Jewish leaders considered the act to be vandalism and stated that they had experienced no anti-Semitic incidents during the period covered by this report. Similar acts occurred in previous years.

On January 15, 2007, the Chisinau office of the daily newspaper Timpul was assaulted by approximately 20 alleged MOC supporters, who threw eggs to protest articles that criticized a "Holy Trinity" of politicians. On February 2, 2007, the Buiucani Court decided that there were no grounds for pressing criminal charges, a decision that Timpul contested in court. The trial was ongoing at the end of the period covered by this report.

Jehovah's Witnesses reported several incidents. In Floresti on November 5, 2006, an Orthodox priest verbally attacked a member and forced him to leave the village. On November 4, 2006, an individual in Tohatin verbally abused a member and kicked him twice. The victims filed complaints with police in both cases. Jehovah's Witnesses reported no further developments in either case. On October 30, 2006, in Criuleni, an Orthodox priest verbally attacked a member of the group. On August 31, 2006, an Orthodox priest verbally attacked a member in Floresti and slapped her daughter. No legal action was taken against either priest.

On September 8, 2006, a Pentecostal pastor in Nisporeni attempted to conduct an outdoor service of music, preaching, and distribution of food in the town but was physically prevented from doing so by local Orthodox priests, who led a procession through the site and then brought in a food inspector who stopped the distribution of food, although the food had an inspection certificate. The mayor telephoned the SSRA, which stated that the service was authorized; however, the mayor was unable to convince the priests to stop their interference. There were no further developments in the case.

On July 17, 2006, three Orthodox priests threatened foreign missionaries who were renovating a former store to become a Pentecostal church in Pirlita. On July 19, the priests and several men entered the building, forced out the workers, threw tools out the window, and severed electrical connections. On the evening of July 21, the building was burned down. The owner of the building brought suit against a priest as ring leader and two individuals as perpetrators. On November 15, 2006, the local appeals court in Balti ruled the defendants innocent because of lack of evidence. There were no appeals of the decision.

The dispute between the Moldovan and the Bessarabian Orthodox Churches continued during the reporting period.

Conversion from Orthodoxy, and especially from the MOC, could lead to ostracism in smaller towns and villages.

#### Section IV. U.S. Government Policy

In January 2007 the U.S. Ambassador held a reception in honor of religious freedom, hosting the head of the SSRA, his assistant, and representatives of 21 religious organizations, registered and unregistered, including the MOC, BOC, Old Rite Russian Orthodox Church, and Ukrainian Orthodox Church. Religious leaders reported that this was the first such meeting in the history of the country. The Ambassador encouraged all who were present to continue their efforts to promote religious freedom and harmony.

On other occasions the Ambassador met with leaders of the major religious organizations, including the MOC, BOC, Catholic Church, and the Jewish community. U.S. embassy representatives continued to maintain contact with religious leaders, most of the resident American missionaries, and other foreign religious workers throughout the country.

U.S. embassy officers met with leaders and legal representatives of many religious organizations to discuss registration, restitution, and other problems that organizations had with the authorities. The Embassy raised concerns at the highest levels of the Government regarding the persistent registration difficulties of some religious groups, and an embassy officer met the head of the SSRA to discuss registration problems. In addition, the Embassy sent diplomatic notes to the Government expressing concern about continued delays in registering some groups as well as the difficulty in obtaining permits to construct places of worship.

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